



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,367	09/18/2001	Alan D. Attie	960296.97478	8344

7590 01/30/2008  
Nicholas J. Seay  
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1 South Pinckney Street  
P.O. Box 2113  
Madison, WI 53701-2113

EXAMINER
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JOHANNSEN, DIANA B

ART UNIT	PAPER NUMBER
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1634

MAIL DATE	DELIVERY MODE
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01/30/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/955,367	ATTIE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Diana B. Johannsen	1634	

All participants (applicant, applicant's representative, PTO personnel):

(1) Diana Johannsen.

(3) Sara Vinarov.

(2) Ram Shukla.

(4) Victoria Sutton.

Date of Interview: 28 January 2008.

Type: a) ☒ Telephonic    b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant    2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes    e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 12,15,16,18, and 19.

Identification of prior art discussed: Montague et al (Nature 387:903-908 [1997]).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
**DIANA JOHANNSEN**  
**PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: A draft amendment and response provided by applicant's representative was discussed. Ex. Johannsen noted that the proposed cancellation of claims drawn to diabetes would overcome many of the enablement issues of record, and further noted that applicant's draft arguments and supporting references (such as Montague et al) were persuasive with regard to a correlation between the obese mouse models employed by applicants and obesity in human subjects. The use of the term "individual" was discussed, with Ex. Johannsen and SPE Shukla noting that it would be helpful if applicant would further address the scope of this term in the response. Further clarification of applicant's proposed claim language was also discussed, and it was particularly noted by the examiner that the "determining" step should clearly indicate that the method step is performed using adipose tissue (commensurate with what is exemplified in the specification).